

Applicants submit that they erred in identifying the claims that correspond to elected Species I (Fig. 4). Applicants apologize for this inadvertent error. Applicants submit that claims 1-31, 36 and 41 read on the Fig. 4 Species, and that at least claims 1-9, 14-19, 24-27, 31, 36 and 41 are generic claims. It is noted that the November 6, 2001, Election of Species Requirement correctly indicated that all three independent claims (claims 1, 16 and 24) are generic.

Thus, Applicants request that at least claims 1-31, 36 and 41 be examined. Moreover, because all three of the generic independent claims are patentable, as will be discussed below, all claims should be allowed.

CLAIM REJECTIONS

The Office Action rejects claims 1-15 and 31 under 35 U.S.C. §112, second paragraph. Applicants amend claims 1 and 13 to obviate the rejection. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn. Please note that claim 1 does not include a playback device; it only defines how the control device interacts with a playback device, which may or may not be part of the input apparatus. Claim 13, on the other hand, recites that the playback device is part of the apparatus.

The Office Action rejects claims 1-4, 10-15 and 31 under 35 U.S.C. §103(a) over Hashimoto et al. (U.S. Patent No. 5,815,201) in view of Kawakami et al. (U.S. Patent No. 4,660,102); and claims 5-9 over Hashimoto in view of Kawakami, and further in view of Arai et al. (U.S. Patent No. 5,576,758). Applicants respectfully traverse the rejections.

Applicants respectfully submit that the combination of Hashimoto, Kawakami and Arai does not disclose or suggest at least a control device that controls at least one of a sound recording device, a storage medium, and a sound playback device to prevent at least one of recording, storing and outputting of a preset sound effect that was output during a recording

mode so that the preset sound effect will not be output with the sounds that were recorded by the sound recording device, as recited in independent claim 1. For reasons similar to those described below, the references do not disclose or suggest the claim 16 control means or the claim 24 controlling step.

Hashimoto discloses an electronic camera capturing images and/or audio and storing this information into a memory. See col. 3, lines 50-52. Kawakami teaches a tone generating device arranged so that a pseudo-shutter sound is produced when a recording operation is initiated. See col. 4, lines 44-49. Arai discloses a digital electric still camera in which image data is compressed before being recorded, and in which the data compression rate is selected by operating by a picture mode button. See col. 5, lines 32-65.

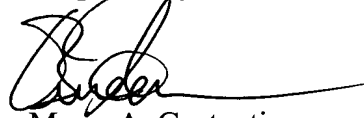
Hashimoto, Kawakami and Arai all fail to teach, disclose or suggest preventing at least one of recording, storing, and outputting of a preset sound effect that was output during a recording mode so that the preset sound effect will not be output with the sounds that were recorded. The references do not recognize or address that it is undesirable for the preset sound effect to be included with the sounds that are output during playback. Thus, the references do not suggest effecting the manner in which the sound effect is recorded, stored or output so that it will not be as audible during playback.

Accordingly, because Hashimoto, Kawakami and Arai fail to disclose these features, a combination of these references would not result in an information input apparatus that more effectively records audio information. Thus, because it would not have been obvious to combine the applied references to arrive at the claimed invention, Applicants submit that all pending claims are patentable. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is requested to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Bruce A. Herman
Registration No. 46,766

MAC:BAH/jca

Attachments:

Appendix
Petition for Extension of Time

Date: May 20, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>



APPENDIX

Changes to Claims:

The following are marked-up versions of the amended claims:

1. (Twice Amended) An information input apparatus, comprising:
 - an imaging device that forms images of a subject;
 - a sound recording device that records sounds;
 - a storage medium that stores at least one of the images formed by the imaging device and the sounds input by the sound recording device;
 - a release switch that initiates a predetermined process;
 - a sound effect output device that outputs a preset sound effect when the release switch is operated; and
 - a control device that controls at least one of ~~a~~the sound recording device, ~~a~~the storage medium, and a sound playback device to prevent at least one of recording, storing, and outputting of a preset sound effect that was output during a recording mode so that the preset sound effect will not be output with the sounds that were recorded by the sound recording device when the release switch initiated the predetermined process.
10. (Amended) The information input apparatus of claim 1, ~~further comprising:~~
~~_____~~awherein the sound playback device ~~that~~ silences all or part of the preset sound effect when the preset sound effect is included in the sound stored by the storage medium.
11. (Amended) The information input apparatus of claim 10, further comprising a selection device that selects whether to remove the preset sound effect included in the sounds output by the sound playback device, wherein ~~the~~a sound removing device silences all or part of the preset sound effect when removing the sound effect is selected by the selection device.

13. (Twice Amended) The information input apparatus of claim 1, ~~further comprising wherein the information input apparatus includes the~~ sound playback device that outputs the sounds stored in the storage medium, and, wherein the sound effect output device is controlled by the ~~controller~~ control device to selectively output a preset sound effect having a frequency incapable of being recorded by the sound recording device, incapable of being stored by the storage medium, or incapable of being played back by the sound playback device.

14. (Amended) The information input apparatus of claim 1, further comprising a display that displays the images formed by the imaging device and the images stored by the storage medium.

16. (Twice Amended) An information input apparatus, comprising:

- imaging means for forming images of a subject;
- sound recording means for inputting sounds;
- storage means for storing the images formed by the imaging means and the sounds input by the sound recording means;
- indicating means for indicating start of a predetermined process;
- sound effect output means for outputting preset sound effects when the indicating means indicates the predetermined process is started; and
- control means for controlling at least one of ~~at~~ the sound recording ~~device means~~, ~~at~~ the storage ~~medium means~~, and a sound playback ~~device means~~ to prevent at least one of recording, storing and outputting of a preset sound effect that was output during a recording mode, wherein the preset sound effects will not be output with the sounds that were input by the sound recording means when the predetermined process is started.

19. (Amended) The information input apparatus of claim 18, wherein the setting means further sets an information input apparatus operating mode, wherein the preset sound effects correspond to the ~~operation~~operating mode set by the setting means.

20. (Amended) The information input apparatus of claim 16, ~~further comprising:~~
~~—————~~wherein the information input apparatus includes the sound playback means for playback of the sounds stored in the storage means; and further comprising:

sound silencing means for silencing all or part of the preset sound effects when the preset sound effects are included in the sounds stored by the storage means.

22. (Amended) The information input apparatus of claim 20, further comprising deleting means for deleting all or part of the preset sound effects from the sounds input by the sound recording means.

23. (Twice Amended) The information input apparatus of claim 16, ~~further comprising sound means for playback of the sounds stored in the storage means, and~~ wherein the sound effect output means selects and outputs a preset sound ~~effect~~effect with a frequency incapable of being input by the sound recording means, incapable of being stored by the storage means, or incapable of being played back by the sound playback means.

24. (Twice Amended) A method of controlling an information input apparatus, comprising:

forming images of a subject using an imaging device;

performing sound recording of sounds occurring near the information input apparatus using a sound recording device;

storing the images formed by the imaging device and the sounds recorded by the sound recording device in a storage medium;

operating a release switch to initiate a predetermined process;

outputting a sound effect when the predetermined process is initiated; and

controlling at least one of recording, storing and outputting of a ~~preset~~the sound effect during a recording mode so that the sound effect that was output during the recording mode will not be output with the sounds that were recorded when the predetermined process is initiated the sound effect ~~will not be output~~.

32. (Amended) The information input apparatus of claim 1, ~~further comprising~~wherein the control device includes a device that prevents the output of frequencies that are lower or higher than the common voice frequency.

33. (Amended) The ~~device~~information input apparatus of claim 32, where the device is a filter.

34. (Amended) The information input apparatus of claim 1, ~~further comprising~~wherein the control device includes a device that prevents recordation of the preset sound effect by use of a reverse phase of the preset sound effect phase.

35. (Amended) The ~~device~~information input apparatus of claim 34, where the device is an inverter.

37. (Amended) The information input apparatus of claim 16, ~~further comprising~~
~~_____~~wherein the control means includes prevention means for preventing the output of frequencies that are lower or higher than the common voice frequency.

39. (Amended) The information input apparatus of claim 16, ~~further comprising~~
~~_____~~wherein the control means includes means for preventing the recordation of the preset sound effect by use of a reverse phase of the preset sound effect phase.

42. (Amended) The method of claim 24, ~~further comprising~~wherein the controlling step includes preventing the output of frequencies that are lower or higher than the common voice frequency.

43. (Amended) The method of claim 42, wherein the preventing the output of frequencies that are lower or higher than the common voice frequency comprises filtering out such frequencies.

44. (Amended) The method of claim 24, ~~further comprising~~ wherein the controlling step includes using a reverse phase of a phase of the preset sound effect to prevent the recordation of the preset sound effect.